

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1654 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

NATVARLAL SHIVJI TANK

Appearance:

MR SM MAZGAONKAR for Petitioner

None present for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 15/10/1999

ORAL JUDGEMENT

1. Having heard the learned counsel for the petitioner, I do not find any illegality in the award which calls for the interference of this Court under Article 227 of the Constitution.

2. The Labour Court has recorded a finding of fact that the discharge of respondent-workman was in contravention of section 25-G and section 25-H of the

Industrial Disputes Act, 1947. Learned counsel for the petitioner is unable to satisfy how this finding of fact recorded by the Labour court is perverse. This Court under Article 227 of the Constitution cannot assume unlimited prerogative to correct all species of wrong decisions. It is restricted to the cases of grave dereliction of duty and flagrant abuse of fundamental principles of law or justice, where grave injustice would be done unless the Court interferes. This is not the case here. Otherwise also from the copy of the order filed on the record of this special civil application by the counsel for the petitioner, I find that the services of the workman have already been regularised.

3. In the result, this special civil application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

zgs/-